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Patent

Attorney Docket: 266/013

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: )  
HUBBELL, Jeffrey A. et al. ) Group Art Unit: 1714  
Serial No.: 09/910,663 )  
Filed: July 19, 2001 )  
For: GELS FOR ENCAPSULATION OF )  
BIOLOGICAL MATERIALS )

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ORIGINALLY FILED

## PETITION PURSUANT TO 37 C.F.R. § 1.181

Applicants hereby submit this petition pursuant to 37 C.F.R. § 1.181 in response to a Notice to File Corrected Application Papers ("Notice") dated December 13, 2001 for the above-identified patent application. A Preliminary Amendment and corresponding Formal Drawings are submitted herewith.

The Notice indicates that Figures 8b, 8d, 8e, 8f, 16b and 18b, as described in the specification, appear to have been omitted from the application. Furthermore, the Notice requires a petition and petition fee should the Applicants contend that these items be included in the applications. Applicants hereby submit a petition pursuant to 37 CFR 1.182 and the petition fee.

In the application filed on July 19, 2001, "Figure 8" was incorrectly referred to as "Figures 8A-F" in the specification. Applicants hereby amend the specification to read "Figure 8" and therefore assert that there were no omitted items such as 8b, 8c, 8d, 8e or 8f.

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CERTIFICATE OF MAILING  
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

Miyabi Grace

Name of Person Mailing Paper

  
Signature of Person Mailing PaperFebruary 13, 2002  
Date of Deposit

Also in the filed application, the figures following "Figure 16a" and "Figure 18a" were incorrectly numbered "Figure 2b" and "Figure 4b," respectively. Applicants hereby submit formal drawings that now correctly show these figures to be "Figure 16b" and "Figure 18b rather than "Figure 2b" and "Figure 4b." Therefore, Applicants assert that Figures 16b and 18b were not omitted but rather were submitted with incorrect numbering.

Since no items were omitted from the application as was submitted on the filing date, Applicants believe that the filing date of July 19, 2001 shall be maintained as the date of deposit of the original application papers in the USPTO.

Together with this petition, Applicants respectfully submit the following:

- 1) The petition fee for \$170.00;
- 2) A Preliminary Amendment; and
- 3) Formal Drawings with corrections to originally-submitted drawings.

Please charge Lyon & Lyon's Deposit Account No. **12-2475** in the amount of **\$130.00** for the petition fee required under 37 CFR § 1.17(h). The Commissioner is authorized to charge said account for any additional fees required under 37 CFR §§ 1.16 and 1.17 that are not covered, in whole or in part, by a check enclosed herewith and to credit any overpayments to said Deposit Account **12-2475**.

Respectfully submitted,  
LYON & LYON LLP

Dated: 2/13/02 By: Michael J. Wise  
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